

FILED - KZ

March 21, 2011 3:26 PM

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U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

SCOTT ALLAN HERRICK

Defendant.

HON. PAUL L. MALONEY

CRIMINAL CASE NO.: 1:10-cr-207


WAIVER OF JURY TRIAL

NOW COMES, Scott Allan Herrick, Defendant, by and through counsel, Chris A. Houghtaling, and Assistant United States Attorney, Daniel Y. Mekaru, and stipulate and agree as follows:

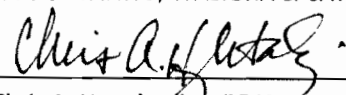
1. That the Defendant is aware that any waiver of his right to have a jury trial be in writing.
2. That the government consents to the Defendant's waiver of his right to a jury trial.
3. That the Defendant requests that the Court approve the Waiver of Jury Trial.
4. That the Defendant waives his right to a jury trial and that this is a voluntary, knowing and intelligent choice, pursuant to United States v Sammons, 918 F.2d 591, 596(6<sup>th</sup> Cir. 1990); United States v Martin, 704 F.2d 267, 271 (6<sup>th</sup> Cir. 1983).

I have read this agreement and carefully discussed every part of it with my attorney. I understand the terms of this waiver of jury trial, and I voluntarily agree to waive my constitutional right to a jury trial.

Dated: March 18, 2011

  
\_\_\_\_\_  
Scott Allen Herrick, Defendant  
HOUGHTALING, WASIURA & CATALINO

Dated: March 18, 2011

  
\_\_\_\_\_  
Chris A. Houghtaling, P51239  
Attorney for Defendant

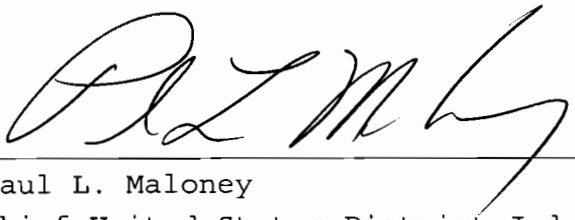
Dated: March 18, 2011

DONALD A. DAVIS  
United States Attorney

  
\_\_\_\_\_  
Daniel Y. Mekar  
Assistant United States Attorney

I find that the defendant has knowingly and voluntarily waived the right to a jury trial, and I approve the waiver.

Date: 3/21/11

  
\_\_\_\_\_  
Paul L. Maloney  
Chief United States District Judge